IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 33699 of 2007(J)

PETITIONER:

SUSHEELA,W/O. APPUKUTTAN
AGED 45 YEARS, KOONAPALAVILAYIL,
THUVAYOOR VADAKUMURI,ERATHU VILLAGE,
ADOOR, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENTS:
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1. **SUPERINTENDENT OF POLICE**
   PATHANAMTHITTA.

2. **CIRCLE INSPECTOR OF POLICE,ADOOR**

3. **SUB INSEPCTOR OF POLICE**
   ADOOR.

4. **HARIDAS, ETTATHIL PADINJATTETHIL**
   THITTAMEL P.O., CHENGANOOR VILLAGE, ALAPPUZHA.

5. **SREELATHA, ETTATHIL PADINJATTETHIL**
   THITTAMEL. P.O., CHENGANOOR VILLAGE
   ALAPPUZHA.

6. **SUJITH, SUJITH BHAVANAM,PLAMUKKU,**
   IVORKALAMURI, PUTHUR VILLAGE, KOLLAM DISTRICT.

7. **VIJAYAKUMARI, ARUL BHAVANAM,**
   THUVAYOOR VADAKUMURI, ERATHU VILLAGE, ADOOR
   PATHANAMTHITTA DISTRICT.

8. **RAGHAVAN PILLAI, PANAYAMTHONDALIL HOUSE**
   THUVAYOOR VADAKUMURI, ERATHU VILLAGE, ADOOR
   PATHANAMTHITTA DISTRICT.

BY GOVERNMENT PLEADER SRI.C.M.KAMMAPPU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR & K.P.BALACHANDRAN, JJ.

Writ Petition (C) No.33699 of 2007-J

Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking inter alia, the following relief :

"to issue a writ of mandamus or any other appropriate writ, order or direction, directing respondents 1 to 3 to give adequate and effective police protection to the life of the petitioner from the threat of respondents 4 to 6."

Earlier, the petitioner and her husband approached this Court and this Court, on 03.04.2007, passed the following interim order :

> *"Urgent Notice by speed post. Meanwhile, police to see that law and order is maintained and life of both the parties is not endangered."*

Finally, the said Writ Petition was disposed of by Judgment dated 05.06.2007. The relevant portion of the said Judgment reads as follows :

> *"An interim order was passed on 03.04.2007. It is submitted that there is no further threat. The interim order passed on 3.4.2007 will continue. As and when there is any threat to the life of the*

petitioners, they can approach the police by filing written complaint whereupon police shall give necessary protection to their life."

The interim order and the Judgment are produced as Ext.P4. Thus, there is a positive direction from this Court to grant necessary protection to the life of the petitioners therein. The first petitioner in the said Writ Petition the writ petitioner herein. In this Writ Petition, the case of the petitioner is that notwithstanding the representations, pointing out threat to her life, the Police are not extending any protection to her life. If that be so, the filing of a second Writ Petition is not the proper course to be followed by the petitioner. In the result, the Writ Petition is dismissed without prejudice to the rights of the petitioner to take steps to enforce the aforementioned Judgment of this Court.

K.BALAKRISHNAN NAIR,JUDGE

15.11.2007 **K.P.BALACHANDRAN, JUDGE**

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